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CENTRAL FAX CENTER

<b>FACSIMILE TRANSMITTAL FORM</b>	Application Number	10/776,156	DEC 03 2004
	Filing Date	February 11, 2004	
	First Named Inventor	McArdle, James L.	
	Art Unit	1773	
	Examiner Name	Leszek B. Killman	
	Attorney Docket Number	55304US016	
	Attorney for Applicant	Jennie G. Boeder	
Fax No.: 703-872-9308			
Total Number of Pages in This Submission: 2			
Date: December 3, 2004			

ENCLOSURES (check all that apply)		
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Patent  
Case No.: 55304US016

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 03 2004

First Named Inventor: **MCARDLE, JAMES L.**  
Application No.: **10/776,156** Group Art Unit: **1773**  
Filed: **February 11, 2004** Examiner: **Leszek B. Killman**  
Title: **CERAMIC AGGREGATE PARTICLES**

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]</b>	
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Date <u>Dec 3, 2004</u>	Signed by: <u>Susan P. Gurnatz</u> Signed by: Susan P. Gurnatz

Dear Sir:

In the Examiner's Reasons for Allowance included with the Notice of Allowability (Paper No. 3, mailed November 8, 2004), the Examiner states that "the closest prior art references that relate to the claimed invention are Wood '126, Culler '004, and McArdle '214".

Applicants wish to draw the attention of the Examiner to the fact that all three patents (Wood '126, Culler '004, and McArdle '214) claim priority to applications filed on or after October 6, 2000. The instant application claims priority to two prior provisional applications (U.S. Provisional Application Nos. 60/238,844 and 60/238,826) filed on October 6, 2000. Additionally, all inventors of the invention claimed in the present application are inventors in one or more of the three patents referred to by the Examiner (i.e., Wood '126, Culler '004, and McArdle '214). Accordingly, none of these patents is believed to be prior art to the present application.

Respectfully submitted,

Dec. 3, 2004  
Date

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